

REMARKS

Applicants acknowledge the Examiner's statement of the restriction requirement not being withdrawn.

In the Office Action dated November 5, 2003, the Examiner rejected claims 7-12, 14-17, 19 under 35 U.S.C. § 102(b) as being anticipated by the U. S. Patent No. 2,486,931 issued to Edwards et al. The Examiner stated that the Edwards et al patent has disclosed the invention as claimed showing a bracket with mounting projections (the holes in member 3 where the rivets are placed) and releasable mounting means (holes in member 3). The Examiner further stated that the releasable mounting means (3) are perpendicular to the mounting projection (the rivet tabs) and noted that the members (3, 4, 3) are considered one unit or integral "body". The Examiner noted that Webster's New International Dictionary (Second Edition) defines "integral" as "(2) Composed of constituent parts making a whole; composite; integrated." The Examiner further stated that it has been held that the term "integral" is not necessarily restricted to a one-piece article. See In re Kohn (CCPA) 157 USPQ 275. With regard to claims 11 and 17, the Examiner stated that the retaining member (4) includes ribs (5), and an interior groove to hold the component.

Applicants respectfully traverse the Examiner's rejection. In order to anticipate a claim under 35 U.S.C. § 102(b), a reference must show each and every element of the claimed invention. The Edwards et al patent discloses a U-shaped bracket having an adjustable attachment means (the slide 4) disposed between the lugs wherein the component (the resistor 1) is placed between the vertically extending supports 3 and the adjustable mount 4. The bracket of Applicants' claimed invention is not movable or adjustable. In addition, the projections 5 on the adjustable mount 4 of the Edwards et al patent serve to retain the resistor but do not cooperate with apertures, tabs, or mounting means on the resistor as recited in Applicants' claims. In contrast, the present invention includes a fixed bracket body that, along with the cooperating projections, apertures, ribs and grooves on the ignition coil assembly and the bracket body, provides a more robust connection between the bracket and the ignition coil assembly than an adjustable mounting shown in the Edwards et al patent.

Applicants have amended claims 7, 8, and 13 to correct typographical errors.

The Examiner rejected claims 13, 18 and 20 under 35 U.S.C. § 103(a) as being unpatentable over the Edwards et al patent. The Examiner stated that the Edwards et al patent has disclosed the invention substantially as claimed (see paragraph 2 above). The Examiner also stated that however,

the Edwards et al patent does not disclose the bracket to hold an ignition coil assembly or to be mounted at a specific engine location. The Examiner stated that the device of the Edwards et al patent clearly displays a mounting assembly which allows for easy removal of suspended items and that it would be obvious to use the assembly to hold any desired items. According to the Examiner, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of the Edwards et al patent to support an ignition coil if desired for the easy removal of the suspended item. The Examiner stated that the placement of the bracket anywhere in the engine compartment is considered an obvious expedient based on the desired accessibility of the device.

Applicants respectfully traverse the Examiner's rejection. As noted above, the Edwards et al patent does not anticipate the Applicants' claims. Modifying the Edwards et al patent, as suggested by the Examiner, to engage with an ignition coil assembly, a valve cover, a cam cover, or a cylinder head would not produce the Applicants claimed invention because the modified adjustable bracket of the Edwards et al patent would not produce the invention defined by Applicants' claims. Furthermore, there is no suggestion by the Edwards et al patent to modify the adjustable bracket of the Edwards et al patent to engage with an ignition coil assembly, a valve cover, a cam cover, or a cylinder head.

The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure. The Examiner cited the U.S. Patent No. 2,968,850 issued to Tinnerman; the U.S. Patent No. 2,873,083 issued to Gillespie; the U.S. Patent No. 4,623,754 issued to Kikuchi et al; and the U.S. Patent No. 5,121,894 issued to Twork et al. Applicants have reviewed these references and found them to be no more pertinent than the prior art relied upon by the Examiner in his rejections.

In view of the above arguments, Applicants believe that the claims of record now define patentable subject matter over the art of record. Favorable action is respectfully solicited.